



Entered on Docket  
January 03, 2008

A handwritten signature in black ink, appearing to read "R. B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS,  
LLC,

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED  
FUND, LLC,

USA SECURITIES, LLC, Debtors.

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

**ORDER SUSTAINING FIRST OMNIBUS OBJECTION OF USACM TRUST  
TO PROOFS OF CLAIM BASED UPON INVESTMENT IN THE  
OPAQUE/MT. EDGE \$7,350,000 LOAN**

Pending before the Court is the USACM Liquidating Trust's First Omnibus Objection to Proofs of Claim Based Upon Investment in the Opaque/Mt. Edge \$7,350,000 Loan (the "Objection") [DE 5388]. Adequate notice of the Objection was given. No responses were filed to the Objection and no opposition was raised to the Objection at the hearing on December 20, 2007. Good cause appearing,

IT IS ORDERED that the Objection is sustained and the Proofs of Claim listed on Exhibit A attached are disallowed in their entirety.

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**PREPARED AND SUBMITTED:**

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)  
Susan M. Freeman  
Rob Charles  
John Hinderaker  
*Attorneys for USACM Liquidating Trust*

APPROVED:

OFFICE OF THE U.S. TRUSTEE

August B. Landis, Esq.  
Scott A. Farrow, Esq.  
300 Las Vegas Boulevard, Suite 4300  
Las Vegas, NV 89101

1 In accordance with Local Rule 9021, the undersigned certifies:

2    The Court waived the requirements of LR 9021.

3    I have delivered a copy of this proposed order to all attorneys and unrepresented  
4   parties who have appeared at the hearing regarding this matter and/or who filed  
a written objection and each has:

5       approved the form of this order;

6       waived the right to review the order;

7       failed to file and serve papers in accordance with LR 9021(c); and/or

8       failed to sign and return this proposed order within five (5) business days  
in accordance with LR 9021(b).

9    I have delivered a copy of this proposed order to all attorneys and unrepresented  
10   parties who appeared at the hearing regarding this matter and/or who filed a  
written objection and all have either approved the form of this order, waived the  
11   right to review the order, failed to file and serve papers in accordance with LR  
9021(c) and the following have disapproved the form of the order.

12    No opposition was filed and no other party or counsel appeared at the hearing.

14 **LEWIS AND ROCA LLP**

16 By: /s/ RC (#0006593)  
17 Susan M. Freeman  
18 Rob Charles  
John Hinderaker  
18 *Attorneys for USACM Liquidating Trust*

OPAQUE MT. EDGE \$7,350,000

## EXHIBIT A

Claim	Name	Address	Total Claim Amount
10725-00354	John T. Mrasz Ent Inc Defined Benefit Plan Dtd 5/86	c/o John T. and Janet Mrasz TTEES 10015 Barling Street Shadow Hills, CA 91040-1512	\$66,136.58
10725-00655	Edgar Wolf	3868 Carlton Drive Atlanta, GA 30341	\$25,000.00
10725-00730	Louise G. Sherk Md Employee Benefit Plan Trust	c/o Robert Di Bias and Louise Sherk TTEES 3830 Ocean Birch Drive Corona Del Mar, CA 92625-1244	\$33,546.65
10725-01270	Wayne Dotson Co Peter Bogart CEO	3 Hidden Lake Court Bluffton, SC 29910	\$56,000.00
10725-02231	Jocelyn Helzer and Eddie Mayo JTWRDS	115 South Deer Run Road Carson City, NV 89701	\$16,771.13